

APPENDIX

Sent to Governor
(April 13, 1987)

S.C.R. 46
S.C.R. 54
S.C.R. 70
S.C.R. 71
S.C.R. 74

FORTY-THIRD DAY
(Tuesday, April 14, 1987)

The Senate met at 11:00 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Sarpalius.

A quorum was announced present.

The Reverend Ray Whitfield, Episcopal Church of the Good Shepherd, Austin, offered the invocation as follows:

Gracious God, make Your presence known and felt in the minds and hearts of Your people. Inspire this body with wisdom, courage and dedication to all that is good and true and beautiful. Move them and help them to rise to such heights of statesmanship that they will be effective instruments of Your will for all people. We ask this in Your most Holy Name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Sarpalius was granted leave of absence for today on account of important business on motion of Senator Brooks.

REPORTS OF STANDING COMMITTEES

Senator Blake submitted the following report for the Committee on Administration:

H.C.R. 3
H.C.R. 54
H.C.R. 20

Senator Brooks submitted the following report for the Committee on Health and Human Services:

S.B. 1383

Senator Farabee submitted the following report for the Committee on State Affairs:

C.S.S.B. 1027
C.S.S.B. 1028

Senator Jones submitted the following report for the Committee on Finance:

C.S.S.B. 123

Senator Parker submitted the following report for the Committee on Education:

C.S.S.B. 598
C.S.S.B. 232
S.B. 1016

Senator Edwards submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the attached appointments, have had same under consideration, and report them back to the Senate for final consideration.

To be Members of the TEXAS HISTORICAL COMMISSION: Karl A. Komatsu, Tarrant County; Richard H. Collins, Dallas County.

To be a Member of the STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS: Jose "Joe" I. Novoa, Dallas County.

To be a Member of the TEXAS INDIAN COMMISSION: Mrs. Lottie Lee Eller, Carson County.

To be a Member of the BOARD OF DIRECTORS, ANGELINA AND NECHES RIVER AUTHORITY: Richard F. Baldwin, Angelina County.

To be a Member of the ADVISORY BOARD OF ATHLETIC TRAINERS: James Glenn (Ken) Murray, Lubbock County.

To be a Member of the TEXAS HOSPITAL EQUIPMENT FINANCING COUNCIL: John A. Adkins, Harris County.

To be a Member of the STATE BANKING BOARD: Arthur C. White, Dallas County.

To be a Member of THE FINANCE COMMISSION OF TEXAS, SAVINGS AND LOAN SECTION: R. Dary Stone, Dallas County.

To be a Member of the TEXAS BOARD OF CORRECTIONS: F. L. "Steve" Stephens, Tom Green County.

To be Members of the BOARD OF REGENTS, EAST TEXAS STATE UNIVERSITY: Robert Kyle Campbell, Dallas County; Dr. Sally Rhodus Lancaster, Dallas County.

BILL AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill and resolutions:

H.C.R. 46
H.C.R. 103
H.C.R. 111

H.C.R. 112
H.C.R. 115
H.C.R. 118
H.C.R. 124
H.C.R. 127
H.C.R. 132
H.C.R. 133
H.C.R. 139
H.B. 288

MESSAGE FROM THE HOUSE

House Chamber
April 14, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to **H.B. 288** by a non-record vote.

S.B. 539, Relating to variable contract rate disclosures for motor vehicle retail installment contracts and to contracts for the retail installment sales of heavy commercial vehicles. (Amended)

H.B. 1721, Relating to the regulation of public grain warehouses.

H.B. 175, Relating to use of a corporate name and to a contract with, or a license or permit issued to a corporation.

H.B. 391, Relating to the jurisdiction of campus peace officers at institutions of higher education and public technical institutes.

H.B. 471, Relating to access to criminal histories of school district employees.

H.B. 720, Relating to the application of certain municipal annexation laws to special utility districts.

H.B. 834, Relating to the use of a deceased individual's name, voice, signature, photograph, or likeness.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS AND RESOLUTION ON FIRST READING

On motion of Senator Tejeda and by unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.C.R. 98 by Tejeda Education
Directing the Central Education Agency and the University Interscholastic League to develop educational programs for the youth of this State regarding the dangers of steroid use.

S.B. 1422 by McFarland Criminal Justice
Relating to suspension of sentences and deferral of final disposition in justice courts.

- S.B. 1423** by Harris Education
Relating to the Engineering Excellence Fund.
- S.B. 1424** by Johnson Natural Resources
Amending Chapter 954, Acts of the 69th Legislature, Regular Session, 1985, by amending Sections 1, 3, 7, 8, 9, 19 and 24 thereof; relating to the administration, powers and authority and the manner of repayment of certain bonds or notes of Grand Prairie Metropolitan Utility and Reclamation District; finding notice of intention to introduce this Act; and declaring an emergency.
- S.B. 1425** by Leedom State Affairs
Relating to the conveyance or lease of state-owned real property and improvements in Smith County.
- S.B. 1426** by Leedom State Affairs
Relating to the exchange of certain state-owned property in Collin County.
- S.B. 1427** by Leedom State Affairs
Relating to the financing of primary elections.
- S.B. 1428** by Edwards, Parker Jurisprudence
Relating to use of a private consultant by the Texas National Research Laboratory Commission.
- S.B. 1429** by Lyon Natural Resources
Relating to the creation, organization, boundaries, powers, including the power of eminent domain, duties, functions, financing, and bond and tax authority of the St. Paul Water Improvement, Road, and Utility District No. 1.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

- H.B. 42**, To Committee on State Affairs.
- H.B. 360**, To Committee on Jurisprudence.
- H.B. 418**, To Committee on Economic Development.
- H.B. 484**, To Committee on Criminal Justice.
- H.B. 635**, To Committee on Criminal Justice.
- H.B. 817**, To Committee on Criminal Justice.
- H.B. 655**, To Committee on Criminal Justice.
- H.B. 725**, To Committee on Intergovernmental Relations.
- H.B. 923**, To Committee on Economic Development.
- H.B. 957**, To Committee on Criminal Justice.
- H.B. 1021**, To Committee on Economic Development.
- H.B. 967**, To Committee on Criminal Justice.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 3

On motion of Senator Sims and by unanimous consent, Senator Parker will be shown as Co-sponsor of **H.C.R. 3**.

SENATE RESOLUTION 418

Senator Farabee offered the following resolution:

WHEREAS, A recent disparaging reference to a wildlife species beloved in Texas for centuries, the prairie chicken, is deserving of refutation by the Texas Senate; and

WHEREAS, Most prevalent in Texas in its counties on the coast, the prairie chicken, or *Tympanuchus cupido*, is described in a treatise by renowned naturalist Valgene Lehmann as a "most popular species wherever found"; and

WHEREAS, The millions of Texans with an abiding appreciation for the esthetic and beneficial qualities of this outstanding variety of wildfowl are saddened by their diminishing number, particularly when such losses are suffered through noxious predators, including skunks and rattlesnakes; and

WHEREAS, As one Senator has commented, prairie chickens are especially noted for being intelligent, vocal, and frugal; for standing up and fighting; and for protecting their domain; and

WHEREAS, Many species would be proud to be included in the prairie chicken family, if only they were intelligent enough to appreciate such a distinction; and

WHEREAS, Crying fowl of unfair and unprovoked attack is a particularly attractive attribute of the prairie chicken; and

WHEREAS, This body deems it better to act as prairie chickens than to play chicken; and

WHEREAS, This body recognizes that it is hard to make chicken salad from chicken droppings and that there is as much fat in the state budget as the skin on the proverbial lips of a chicken; and

WHEREAS, This body prefers the thumping of prairie chickens to the throwing about of rubber chickens; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 70th Legislature, join with the discerning citizens of the State of Texas in expressing heartfelt admiration and sincere gratitude for the contributions of the prairie chickens of Texas; and, be it further

RESOLVED, That the many outstanding attributes of the prairie chicken merit its designation as the official State Grouse.

The resolution was read and adopted viva voce vote.

GUESTS PRESENTED

Senator Edwards was recognized and introduced Dr. Shelley Roaten, Jr., of Waco, the Capitol Physician for the Day.

Dr. Roaten, accompanied by Dr. Taylor Starkey of Victoria, a third-year resident, was welcomed by the Senate and received the appreciation of the Senate for his service.

SENATE BILL 111 WITH HOUSE AMENDMENT

Senator Glasgow called S.B. 111 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment - Kuempel

Amend S.B. 111 on line 11 page one by inserting the following after the word "products":

" , other than aquatic products sold by and ready for immediate consumption in individual portion servings by restaurants and which are subject to the limited Sales and Use tax."

The amendment was read.

Senator Glasgow moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sarpalius.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Edwards gave notice that he would tomorrow at the conclusion of Morning Call submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

**COMMITTEE SUBSTITUTE SENATE BILL 257
ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 257, Relating to the continuation, composition, powers, and duties of the Texas Department of Mental Health and Mental Retardation and to the provision of mental health and mental retardation and related services; providing a penalty.

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 257** by deleting Sec. 2.01(b) on page 3, lines 22-24.

The amendment was read and was adopted viva voce vote.

Senator Farabee offered the following amendment to the bill:

Floor Amendment No. 2

Amend **C.S.S.B. 257** as follows:

(1) On page 3, after line 56, amend Sec. 2.01A by inserting the following:

(d) Not later than November 1, 1988, the Department shall prepare and submit to the Board a report documenting the impact of its efforts to reduce any underutilization in the Department's work force of all persons whom federal or state guidelines encourage a more equitable balance. The report shall also include:

(1) information on the number of complaints of employment discrimination filed against the Department with the Texas Commission on Human Rights in fiscal years 1986, 1987, and 1988;

(2) the nature of the complaints;

(3) the facilities or offices involved in the complaints; and

(4) the current status of the complaints.

(e) Not later than January 1, 1989, the Board shall submit copies of the report required in subsection (d) to the Texas Commission on Human Rights and to the appropriate committees of the House and Senate.

(2) Reletter the remaining subsections in Sec. 2.01A accordingly.

The amendment was read and was adopted viva voce vote.

Senator Farabee offered the following amendment to the bill:

Floor Amendment No. 3

Amend **C.S.S.B. 257** by striking Sec. 2.12E(d) on page 9, lines 64-67 and substituting the following:

(d) The appropriate local mental health or mental retardation authority shall monitor the services provided to a resident placed in a program funded under this section. The Department may monitor any service for which it contracts.

The amendment was read and was adopted viva voce vote.

Senator Farabee offered the following amendment to the bill:

Floor Amendment No. 4

Amend C.S.S.B. 257 beginning on page 12, after line 49 by inserting the following section and re-numbering all subsequent sections of ARTICLE 2:

SECTION 12. (a) Article 2, Texas Mental Health and Mental Retardation Act, as amended (Article 5547-202, Vernon's Texas Civil Statutes), is amended by adding Section 2.34 to read as follows:

Sec. 2.34. COMPETITIVE REVIEW REQUIREMENT. (a) It is the policy of the state that the department establish procedures to:

- (1) promote more efficient use of public funds;
 - (2) ensure periodic review of agency management and support activities in order to improve agency operations, better determine costs, increase agency productivity, and remain competitive with the private sector; and
 - (3) ensure that activities that are available through the private sector are provided by state government only if the state can provide the service at a lower cost.
- (b) In the development of such procedures, the department shall comply with any competitive review purchasing program provisions contained in S.B. 298 or H.B. 584 as enacted by the 70th Legislature in its regular session in 1987.

(b) This section applies only if S.B. 298 or H.B. 584 is enacted by the 70th Legislature in its regular session in 1987 and contains a provision related to the competitive review purchasing program.

The amendment was read and was adopted viva voce vote.

RECORD OF VOTE

Senator Barrientos asked to be recorded as voting "Nay" on the adoption of the amendment.

Senator Farabee offered the following amendment to the bill:

Floor Amendment No. 5

Amend C.S.S.B. 257 as follows:

- (1) On page 24, delete line 56 and substitute "funds for a treatment or rehabilitation program unless the program for which the funds are requested will, at".

The amendment was read and was adopted viva voce vote.

Senator Leedom offered the following amendment to the bill:

Floor Amendment No. 6

Amend C.S.S.B. 257 by striking SECTION 13, Article II in its entirety and renumbering the remaining SECTIONS accordingly.

The amendment was read.

On motion of Senator Farabee, the amendment was tabled by the following vote: Yeas 20, Nays 7.

Yeas: Armbrister, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Johnson, Jones, Krier, McFarland, Montford, Santiesteban, Sims, Truan, Uribe, Washington, Whitmire, Zaffirini.

Nays: Barrientos, Brown, Henderson, Leedom, Lyon, Parmer, Tejeda.

Absent: Anderson, Harris, Parker.

Absent-excused: Sarpalius.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 257
ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 257 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent: Anderson, Harris.

Absent-excused: Sarpalius.

The bill was read third time and was passed viva voce vote.

MESSAGE FROM THE HOUSE

House Chamber
April 14, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 524, Relating to the abolition of the Texas Amusement Commission and the transfer of certain functions performed by that Commission to the office of the Comptroller of Public Accounts.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

**MOTION TO PLACE
COMMITTEE SUBSTITUTE SENATE BILL 428
ON SECOND READING**

Senator Armbrister moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 428, Relating to the offense of theft of service.

The motion was lost by the following vote: Yeas 11, Nays 18.

Yeas: Armbrister, Blake, Brown, Caperton, Farabee, Henderson, Krier, Leedom, Parker, Parmer, Santiesteban.

Nays: Anderson, Barrientos, Brooks, Edwards, Glasgow, Green, Johnson, Jones, Lyon, McFarland, Montford, Sims, Tejada, Truan, Uribe, Washington, Whitmire, Zaffirini.

Absent: Harris.

Absent-excused: Sarpalius.

**MOTION TO PLACE SENATE BILL 493
ON SECOND READING**

Senator Tejeda moved to suspend the regular order of business to take up for consideration at this time:

S.B. 493, Relating to violation of railroad safety provisions; providing an administrative civil penalty.

The motion was lost by the following vote: Yeas 19, Nays 10. (Not receiving two-thirds vote of Members present)

Yeas: Anderson, Armbrister, Barrientos, Brooks, Caperton, Edwards, Green, Johnson, Lyon, Montford, Parker, Parmer, Santiesteban, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

Nays: Blake, Brown, Farabee, Glasgow, Henderson, Jones, Krier, Leedom, McFarland, Sims.

Absent: Harris.

Absent-excused: Sarpalius.

SENATE BILL 440 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 440, Relating to illegally or fraudulently obtained driver's licenses or certificates issued by the Department of Public Safety; providing criminal penalties.

The bill was read second time.

Senator Uribe offered the following amendment to the bill:

Amend **S.B. 440** by striking all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. Subsection (a), Section 32, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) Except as provided in Subsection (b) of this section, it is unlawful for any person to commit any of the following acts:

(1) to display or cause or permit to be displayed or to have in possession any driver's license or certificate knowing the same to be fictitious or to have been cancelled, revoked, suspended, or altered;

(2) to lend or knowingly permit the use of, by one not entitled thereto, any driver's license or certificate issued to the person so lending or permitting the use thereof;

(3) to display or to represent as one's own, any driver's license or certificate not issued to the person so displaying same;

(4) to fail or refuse to surrender to the Department on demand any driver's license or certificate which has been suspended, cancelled, or revoked as provided by law;

(5) to have in one's possession more than one currently valid driver's license or more than one currently valid certificate; or

(6) to use a false or fictitious name or give a false or fictitious address or use a fictitious or counterfeit document in any application for a ~~driver's license or a certificate, or any~~ renewal or duplicate driver's license or certificate ~~thereof~~, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.

SECTION 2. Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes), is amended by adding Section 33 to read as follows:

Sec. 33. SWEARING OR AFFIRMING FALSELY TO AN APPLICATION. (a) A person commits an offense if the person knowingly swears or affirms falsely before a person authorized to take statements under oath to any matter, information, or statement required by the Department in an original application for a driver's license or certificate issued under this Act.

(b) An information or indictment of a violation of Subsection (a) of this section alleging that the declarant has made inconsistent statements under oath, both of which cannot be true, need not allege which statement is false. At the trial, the prosecution is not required to prove which statement is false.

(c) Except as provided by Subsection (d) of this section, an offense under this section is a Class C misdemeanor.

(d) An offense under this section is a Class B misdemeanor if the matter, information, or statement falsely sworn or affirmed to pertains to the suspension, revocation, cancellation, or denial of the declarant's driver's license or driving privilege.

SECTION 3. Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes), is amended by adding Section 33A to read as follows:

Sec. 33A. USE OF ILLEGALLY OBTAINED LICENSE OR CERTIFICATE. (a) A person commits an offense if a person uses a driver's license or certificate obtained in violation of Subdivision (6) of Subsection (a) of Section 32 or of Section 33 of this Act to harm or defraud another.

(b) An offense under this section is a Class A misdemeanor.

SECTION 4. This Act takes effect September 1, 1987, and applies to an offense under Subsection (a) of Section 32, Section 33, or Section 33A, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes), as amended or as added by this Act, that is committed on or after that date. An offense committed before the effective date of this Act is punishable by the law in existence at the time the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The amendment was read and was adopted viva voce vote.

On motion of Senator Uribe and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 440 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 440 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Sarpalius.

The bill was read third time and was passed viva voce vote.

SENATE BILL 393 ON SECOND READING

On motion of Senator Santiesteban and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 393, Relating to tuition rates for residents of bordering nations.

The bill was read second time.

Senator Edwards offered the following amendment to the bill:

Amend **S.B. 393** as follows:

(1) On page 1, line 45, strike "and" and substitute a comma.

(2) On page 1, line 48, between "resides" and the period, insert ", and who demonstrates a financial need after the financial resources of the foreign student and the student's family are considered".

The amendment was read and was adopted viva voce vote.

On motion of Senator Santiesteban and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 393 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 393** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Sarpalius.

The bill was read third time and was passed by the following vote: Yeas 30, Nays, 0.

Absent-excused: Sarpalius.

MESSAGE FROM THE HOUSE

House Chamber
April 14, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 563, Relating to limited partnerships. (Substituted)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE RULE 103 SUSPENDED

On motion of Senator Edwards and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Jurisprudence might consider S.B. 1428 today at 2:30 p.m.

**COMMITTEE SUBSTITUTE SENATE BILL 123
ORDERED NOT PRINTED**

On motion of Senator Jones and by unanimous consent, C.S.S.B. 123 was ordered not printed.

SENATE RULE 103 SUSPENDED

On motion of Senator Caperton and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Jurisprudence might consider S.B. 427 today at 2:30 p.m.

**NOTICE OF SESSION TO HOLD
LOCAL AND UNCONTESTED BILLS CALENDAR**

Senator Blake announced that a Local and Uncontested Bills Calendar had been placed on the Members' desks and gave notice that a Local and Uncontested Bills Calendar would be held at 8:00 a.m. on Wednesday, April 15, 1987, and that all bills and resolutions would be considered on second and/or third reading in the order in which they are listed.

MOTION TO RECESS

On motion of Senator Brooks and by unanimous consent, the Senate agreed to take recess at the conclusion of tomorrow's Local Calendar until 10:30 a.m. tomorrow.

MEMORIAL RESOLUTIONS

S.R. 417 - By Montford: Memorial resolution for Dr. Glenn B. Payne.

S.R. 420 - By Glasgow: Memorial resolution for James N. Mulloy.

S.R. 421 - By Glasgow: Memorial resolution for Oscar Franklin Parham.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 415 - By Sarpalius: Extending congratulations to Mr. and Mrs. Travis C. Lively, Jr., on their 45th anniversary.

S.R. 416 - By Zaffirini: Extending welcome to the Robert E. Lee Elementary School students.

S.R. 419 - By Glasgow: Commending the Decatur Community Hospital Auxiliary Staff.

RECESS

On motion of Senator Brooks, the Senate at 12:25 p.m. took recess until 8:00 a.m. tomorrow.

**In Memory
of
Mary Jane Christensen**

Senator Brooks offered the following resolution:

(Senate Concurrent Resolution 99)

WHEREAS, The 70th legislature of the State of Texas joins with the family and friends of Mary Jane Christensen in mourning the loss of this esteemed Galveston county clerk, who died on March 30, 1987; and

WHEREAS, Born on February 4, 1918, in Galveston, she was the daughter of the late Syvert Christensen and the late Helen Lidstone Christensen; and

WHEREAS, After graduating from Ursuline Academy in Galveston, she attended Draughon's Business College; she worked in the classified advertising department of The Galveston Daily News before going to work in the county clerk's office in 1942; and

WHEREAS, Noted for her devotion to duty and diligence, this distinguished woman was in her third term as county clerk and had been unopposed in recent elections; and

WHEREAS, An active member of St. Patrick's Catholic Church and the Altar Society, she lived her Christian beliefs every day of her life; a member of the financial advisory committee of the church, she was also active with the Catholic Daughters and the Ursuline Alumnae; and

WHEREAS, Named "Boss of the Year" by the American Businesswomen's Association in 1981, she displayed warmth, helpfulness, and generosity of spirit in all her contacts with her fellow human beings; and

WHEREAS, The State of Texas has benefitted enormously from the wisdom and expertise of this illustrious public servant who conscientiously discharged her duties in an exemplary manner; now, therefore, be it

RESOLVED, That the 70th Legislature of the State of Texas hereby extend deep condolences to the members of her family: her sisters, Mrs. Leroy Naschke and Mrs. Bernard Curran; her brother, John L. Christensen; and her nieces, Mrs. Max Collings and Mrs. Patrick Davis; and, be it further

RESOLVED, That copies of this resolution be prepared for the members of her family as an expression of deepest sympathy from the Texas Legislature, and that when the Legislature adjourns this day, it do so in memory of Mary Jane Christensen.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.